

IN THE HIGH COURT OF JUSTICE

CLAIMS NO: HC11C02287

CHANCERY DIVISION

BETWEEN:

GUY PELLY

Claimant

and

(1) NEWS GROUP NEWSPAPERS LIMITED
(2) GLENN MICHAEL MULCAIRE

Defendants

STATEMENT IN OPEN COURT

Solicitor Advocate for the Claimant

1. In this action for misuse of private information, breach of confidence and harassment, I appear for the Claimant. My learned friend, Michael Silverleaf QC, appears for the First Defendant.
2. The Claimant is an entrepreneur.
3. The First Defendant was the publisher of the News of the World newspaper which had a considerable readership in this jurisdiction and which also published its content on its website, www.newsoftheworld.com. The Second Defendant was a private investigator engaged by the First Defendant to carry out various investigative activities. His methods included blagging information from mobile phone companies and the unlawful interception of voicemail messages.

4. From 2002 until 2006, the Claimant was mentioned in a series of articles published in the News of the World. A number of these articles contained intrusive and private information, albeit a lot of it was inaccurate or untrue. The Claimant did not know the source of this information at the time of publication and could not understand how this private information was ending up in the public domain.
5. Over the same period, the Claimant had considerable concerns about the security of his mobile telephone and the mobile telephones of his friends. The Claimant experienced unusual activity on his mobile telephone including messages that he had not listened to appearing as old messages. On one occasion, the Claimant telephoned his own voicemail remotely only to find it was engaged.
6. In 2011, after the commencement of Operation Weeting, the Claimant was approached by the Metropolitan police and he was shown evidence that his voicemail had been intercepted and that he had been targeted over a considerable period of time, from at least 2002 to 2006. The Second Defendant had recorded in his notes the Claimant's mobile phone number and other confidential information about the Claimant, his family and friends.
7. The Claimant issued proceedings against the First and Second Defendants for misuse of private information, breach of confidence and harassment.
8. On 13 December 2011, the First Defendant made a series of extensive admissions in relation to the general practice of intercepting voicemail messages at the News of the World.
9. It has become clear and the First Defendant now accepts that the Defendants targeted the Claimant and the Claimant's voicemail messages, and those of his friends, over a considerable period of time.

10. I am here today to announce that the First Defendant has accepted liability for breach of confidence and misuse of private information and agreed to pay damages to the Claimant in the sum of £40,000 plus his legal costs. The First Defendant has also agreed to continue to carry out searches of documents in its possession and to disclose these to the Claimant so that he can ascertain the full extent of the wrongdoing.

11. Both Defendants have also undertaken not to further access the Claimant's voicemail messages or to publish unlawfully obtained private information about the Claimant.

12. Furthermore, the First Defendant also now accepts that there was no truth whatsoever to the allegations made by them that the Claimant provided drugs to third parties, contrary to what was suggested in various articles published in 2002.

Counsel for the First Defendant

13. My Lord, on behalf of the First Defendant, I confirm everything my Friend, Mr Thomson, has said.

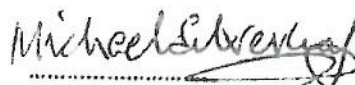
14. The First Defendant is here today, through me, to offer its sincere apologies to the Claimant for the damage, as well as the distress, caused to him by the accessing of his voicemail messages and obtaining and publishing of confidential information. The First Defendant acknowledges that the information should never have been obtained or used in the manner it was and that the First Defendant is liable for misuse of private information and breach of confidence.

Solicitor- Advocate for the Claimant

15. In the light of the order which has been made and this statement, the Claimant considers that he is fully vindicated.



Mark Thomson



Michael Silverleaf QC